REMARKS

In this Response, Claims 1 and 4 are amended. Claims 1-6 are pending in the application.

Rejections of the Claims under 35 U.S.C. § 103

A.   Claims 1, 3, 4, and 6 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Kim, et al. ("Kim," "An Efficient Transcoding Algorithm for G.723.1 and EVRC Speech Coders") in view of U.S. Patent 6,829,579 issued to Jabri et al. ("Jabri").

Initially, Claims 1 and 4 are amended to recite the calculation of "a predicted pitch delay by applying linear prediction to past open-loop pitch delays of the G.723.1 speech encoder." This replacement of "close-loop" with "open-loop" is a correction according to the specification at page 4, lines 28-33 and S210 of Figure 2.

Independent Claims 1 and 4 include the elements of "calculating a difference between the changed closed-loop pitch delay of the SMV speech decoder and the calculated predicted pitch delay."

Applicants disagree with the Examiner's assertion that the references disclose the calculation of a difference between the changed closed-loop pitch delay and the predicted pitch delay. The Examiner relies on Kim for disclosing the calculation of a difference between a changed closed-loop pitch delay and a predicted pitch delay. Kim discloses comparing the closed-loop pitch of a source with the closed-loop pitch from a previous target subframe (see Kim at page 1562, right column). A past closed-loop pitch of a target is different from the recited predicted pitch delay, which is calculated by applying linear prediction to past open-loop pitch delays of a target. Thus, Kim does not disclose applying linear prediction to past open-loop pitch delays in the computation of the recited difference.

The Examiner further relies on the section "Fast Adaptive Codebook Search" in Kim at page 1563 for disclosing the linear prediction. However, the adaptive codebook search is performed after the open-loop pitch estimation, and therefore, the linear prediction of Kim is not used in the computation of the recited difference. This is supported by Figure 2 of Kim, which shows that the adaptive codebook search block

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receives the output from the pitch smoothing block where the open-loop pitch estimation (as well as the difference computation) takes place. Thus, the linear prediction disclosed by Kim is not applied to one of the two components, of which a difference is being computed.

Jabri does not supply the missing element. Thus, neither of the references discloses the use of a predicted pitch delay in the calculation of the difference. Thus, Claims 1 and 4, as well as their respective dependent claims, are non-obvious over the cited references. Accordingly, withdrawal of the rejection of Claims 1, 3, 4, and 6 is requested.

B.   Claims 2 and 5 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Kim in view of Jabri as applied to claims 1 and 4, and further in view of U.S. Patent 5,734,789 issued to Swaminathan et al. ("Swaminathan").

Claims 2 and 5 depend from Claims 1 and 4, respectively. Thus, for at least the reasons mentioned above in regards to Claims 1 and 4, these dependent claims are non-obvious over Kim in view of Jabri.

Swaminathan is relied on for disclosing the use of two pitch delays per frame. However, Swaminathan does not supply the missing elements mentioned above in Kim and Jabri. Thus, Claims 2 and 5 are non-obvious over the cited references. Accordingly, withdrawal of the rejection of Claims 2 and 5 is requested.

CONCLUSION

In view of the foregoing, it is believed that all claims are now in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666.

Respectfully submitted,

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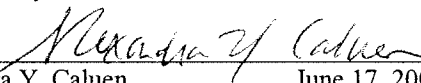
Dated: June 17, 2008

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I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below.

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